

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/530,757 Confirmation No. 9005  
 Applicant(s) : Partha Neogi et al.  
 Filed : April 8, 2005  
 Tech Cntr/AU : (unassigned)  
 Examiner : (unassigned)  
 Entitled : Novel Heterocyclic Analogs of Diphenylethylene Compounds  
 Attorney Reference : 121633-05042134  
 Customer Number : 43569

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application mailed **October 7, 2005**, a copy of which is enclosed herewith, Applicant(s) submit the following:

**REQUIRED PARTS OF APPLICATION**

- ☐ Additional claim fees as itemized on the attached PTO/SB/17 (in duplicate);
- ☐ Filing, Examination and/or Search fees as itemized on the attached PTO/SB/17 (in duplicate);
- ☒ Late surcharge as itemized on the attached PTO/SB/17 (in duplicate);
- ☒ Declaration/Power of Attorney signed and dated by inventor(s) (10 pages);
- ☐ Substitute specification;
- ☐ Other:

**ADDITIONAL DOCUMENTS SUBMITTED**

- ☒ Assignment and Assignment Recordation Cover Sheet (6 pages);
- ☐ Supplemental Application Data Sheet;
- ☐ Information Disclosure Statement with PTO Form 1449;
- ☐ Certified copy of priority document;
- ☐ Preliminary Amendment;
- ☒ Petition for Extension of Time (PTO/SB/22) in duplicate;
- ☐ Other:

SMALL ENTITY STATUS

- ☒ Applicant(s) claim small entity status for this application.
- ☐ Applicant(s) **withdraws** the previous claim for small entity status, and respectfully requests that the U.S. Patent & Trademark Office change the status of this application to "Large Entity" status.

FEE AUTHORIZATION

- ☒ Authorization is hereby given to charge any deficient fee(s) as necessary to ensure the pendency of this application, or to credit any fee overpayments, to Deposit Account No. 503-121.
- ☒ Authorization is hereby given to charge the fees as itemized on the attached PTO/SB/17 to Deposit Account No. 503-121.
- ☒ Authorization is hereby given to charge the requisite extension of time fees as itemized on the attached PTO/SB/22 to Deposit Account No. 503-121.

The examination and allowance of this Application is respectfully requested.

Respectfully Submitted,

MAYER BROWN ROWE & MAW LLP

By: 

Paul L. Sharer  
Registration No. 36,004

Intellectual Property Group  
1909 K Street, N.W.  
Washington, D.C. 20006  
(202) 263-3000 Telephone  
(202) 263-3300 Facsimile

Date: May 8, 2006

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

### Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | 10/530,757          |
| Filing Date          | April 8, 2005       |
| First Named Inventor | Partha Neogi et al. |
| Examiner Name        | (unassigned)        |
| Art Unit             | (unassigned)        |
| Attorney Docket No.  | 121633-05042134     |

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 503-121 Deposit Account Name: Mayer Brown Rowe & Maw LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES  |          | SEARCH FEES  |          | EXAMINATION FEES |          | Fees Paid (\$) |
|------------------|--------------|----------|--------------|----------|------------------|----------|----------------|
|                  | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity     | Fee (\$) |                |
| Utility          | 300          | 150      | 500          | 250      | 200              | 100      |                |
| Design           | 200          | 100      | 100          | 50       | 130              | 65       |                |
| Plant            | 200          | 100      | 300          | 150      | 160              | 80       |                |
| Reissue          | 300          | 150      | 500          | 250      | 600              | 300      |                |
| Provisional      | 200          | 100      | 0            | 0        | 0                | 0        |                |

#### 2. EXCESS CLAIM FEES

| Fee Description   | Small Entity | Fee (\$) |
|---|--------------|----------|
|   | Fee (\$)     |          |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50           | 25       |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200          | 100      |
| Multiple dependent claims   | 360          | 180      |

| Total Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP =  | x            | =        |               |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20      |              |          |               |                           |          |               |
| Indep. Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) |                           |          |               |
| - 3 or HP =   | x            | =        |               |                           |          |               |
| HP = highest number of independent claims paid for, if greater than 3 |              |          |               |                           |          |               |

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)  
 Other: Surcharge for filing late Declaration/Power of Attorney (Small Entity) \$ 65.00

#### SUBMITTED BY

|                   |                 |                         |                          |
|-------------------|-----------------|-------------------------|--------------------------|
| Signature         |                 | Registration No. 36,004 | Telephone (202) 263-3340 |
| Name (Print/Type) | Paul L. Sharrer | (Attorney/Agent)        | Date May 8, 2006         |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Rec'd PCT/PTO 08 MAY 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|   |                                       |                                     |
|---|---------------------------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/530,757 | FIRST NAMED APPLICANT<br>Partha Neogi | ATTY. DOCKET NO.<br>121633-05042134 |
|---|---------------------------------------|-------------------------------------|

INTERNATIONAL APPLICATION NO.

PCT/US03/31803

I.A. FILING DATE

10/08/2003

PRIORITY DATE

04/06/1999

Mayer Brown Rowe & Maw  
 Intellectual Property Department  
 1909 K Street N W  
 Washington, DC 20006

CONFIRMATION NO. 9005

371 FORMALITIES LETTER



\*OC000000017073711\*

Date Mailed: 10/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/08/2005
- Copy of the International Search Report filed on 04/08/2005
- Preliminary Amendments filed on 04/08/2005
- Small Entity Statement filed on 04/08/2005
- U.S. Basic National Fees filed on 04/08/2005
- Priority Documents filed on 04/08/2005
- Specification filed on 04/08/2005
- Claims filed on 04/08/2005
- Abstracts filed on 04/08/2005
- Drawings filed on 04/08/2005

|  |              |
|--|--------------|
| <b>Docketed</b>                            |              |
| Mayer, Brown, Rowe & Maw LLP<br>I.P. Group |              |
| OCT 11 2005                                |              |
| CL 121633                                  | MT# 05042134 |
| ATTY(S) PLS/SEM                            |              |
| DUE Dec 7, 2005                            |              |
| DKT By (1) DSB                             | (2)          |

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/530,757                  | PCT/US03/31803                | 121633-05042134  |

FORM PCT/DO/EO/905 (371 Formalities Notice)